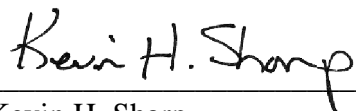


In this case, the plaintiff complains that he did not receive a lunch or dinner tray on a particular date. He does not allege, however, that he was denied other meals or that he suffered any type of injury or adverse consequence as a result of missing those meals. Thus, the occasionally missed meal does not rise to the level of a constitutional violation. Marr v. Case, 2008 WL 191326 (W.D. Mich.; 1/18/08).

In the absence of a constitutional violation, the plaintiff is unable to prove every element needed for a claim under § 1983. He has failed, therefore, to state a claim upon which relief can be granted. When a prisoner proceeding in forma pauperis has failed to state a claim for relief, the Court is obliged to dismiss his complaint *sua sponte*. 28 U.S.C. § 1915(e)(2).

An appropriate order will be entered.



Kevin H. Sharp
Chief District Judge